

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 2, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police.

Invocation was delivered by REV. GENE RUTLEDGE, Koenig Lane Christian Church, 908 Koenig Lane.

Councilman White moved that the Minutes of the Meeting of June 25, 1959, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has entered into a contract with the United States of America providing for financial aid under Title I of the Housing Act of 1949 (as amended); and,

WHEREAS, one of the requirements of the Housing and Home Finance Agency is the appraisal by an independent appraiser of the properties located within the urban renewal area; and,

WHEREAS, the Director of Urban Renewal and the City Manager have recommended the employment of C. P. Henderson for the making of such appraisals;
Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized to execute that certain appraisal contract exhibited by him to the City Council under the terms of which C. P. Henderson would perform the appraisal work described in said contract upon the terms therein set forth.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the matter of the zoning of the property of the Capitol Bowling Alley would not be brought up this morning.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 14.11 OF THE AUSTIN CITY CODE OF 1954 TO PROVIDE FOR THE CLEARING OF REAL ESTATE, FOR THE ASSESSMENT OF COST AGAINST SUCH REAL ESTATE, AND FOR THE ISSUANCE OF NOTICE AND APPEAL TO THE CITY COUNCIL; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor stated that a notice should be published in the paper regarding the cutting of the weeds from vacant lots, and the notice should include a list of the people who do this type of work. The list is for the convenience of the citizens, and the price charged by each person would be a matter of negotiations. As to high grass and weeds on city property, the City Manager stated he wanted to clarify what was city property, and explained the provisions of the present law, in that property owners would clear the property to the curb line, and the sidewalk area was the property owners' problem and not the city's.

Councilman Palmer introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

10.2 ACRES OF LAND MORE OR LESS, SAME BEING OUT OF AND A PART OF THE A. B. SPEAR SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the first time and Councilman Palmer moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Ralph W. Button as described in the Travis County Deed Records and known as Lot 22 of the Lake Shore Addition out of Wilkenson Sparks Survey on the shore of Lake Austin, and hereby authorizes the said Ralph Button to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Ralph W. Button has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
July 2, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Ralph W. Button, owner of property abutting on that part of Lake Austin lying downstream from the westerly extension of the south line of Windsor Road approximately one half mile above Tom Miller Dam on the west side of Lake Austin, the same being Lot 22 of the Lake Shore Addition out of the Wilkenson Sparks Survey,

as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 42 feet beyond the normal high water level. The construction details meeting all requirements I, therefore, recommend that if Ralph W. Button is granted his request by the City Council, that it be subject to the following conditions:

- "(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.
- "(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.
- "(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.
- "(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Yarborough Construction Company is the Contractor for the repair of a building located at 906-908 Congress Avenue and desires a portion of the sidewalk and street space abutting the north 23 feet of Lot 2, the south 23 feet of Lot 3, Block 110, of the Original City of Austin, Travis County, Texas, during the repair of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Yarborough Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue to a point 12 feet east

of the west curb line; thence in a southerly direction and parallel with the center line of Congress Avenue 46 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to the southeast corner of the above described property. In addition to the above described working space, the Contractor shall be permitted additional space at each end to provide a means of ingress and egress.

2. THAT the above privileges and allotment of space are granted to the said Yarborough Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not

later than August 1, 1959.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtok, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the north side of West 6th Street as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, which property is owned by Herbert Meyer, and is Lot 24, Block "F", Raymond Subdivision, Outlot 2, Division Z, of the City of Austin, Travis County, Texas, and hereby authorized the said Herbert Meyer to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the

enforcement of the proper police, traffic and fire regulations; and the right of revocations is retained if, after hearing, it is found by the City Council that the said Herbert Meyer has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
July 2, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Herbert Meyer, by his agent, Robert J. Potts, Jr., for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing his own motor equipment and from which no gasoline is to be sold, upon property located on the north side of West 6th Street, which property is designated as Lot 24, Block "F", Raymond Subdivision, Outlot 2, Division Z in the City of Austin, Travis County, Texas, and locally known as 812 West 6th Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Bechtol brought up the matter of a proposed contract with the Tele-Trip Company for the sale of short-term trip insurance at the Airport, as discussed last week, when the Council voted to have the contracts corrected in three areas. He stated he had the suggestion of the Administrator that this not be done until the expiration of the other contract, and then work out something. Councilman Bechtol wanted to be sure the Company was authorized to do business in the State and that it be limited to short-term accident insurance. Colonel MURPHY, Administrator, recommended that in view of the fact that the present contract did not expire until November 1, 1960; that the new contract should be at the same terms and expire at the same time; and at that time, the City would be in a position to negotiate with this company or some other company. Councilman Bechtol moved that the recommendation be accepted. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: (1) A TRACT OF LAND FRONTING 180 FEET ON THE NORTH RIGHT OF WAY LINE OF OAK SPRINGS DRIVE, LOCALLY KNOWN AS 3304-3308 OAK SPRINGS DRIVE FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (2) A TRACT OF LAND FRONTING 254 FEET ON THE NORTH RIGHT OF WAY LINE OF LAMAR BOULEVARD AND 182.75 FEET ON THE EAST RIGHT OF WAY LINE OF OXFORD AVENUE, LOCALLY KNOWN AS 2110 SOUTH LAMAR BOULEVARD AND 2125-2129 OXFORD AVENUE, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) LOTS 5 AND 6, BLOCK 3 WHITTEN ADDITION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (4) NINE TRACTS OF LAND FRONTING APPROXIMATELY 780 FEET ALONG THE EAST RIGHT OF WAY LINE OF SHOAL CREEK BOULEVARD AND 280 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF WEST 17TH STREET, LOCALLY KNOWN AS 1413-1611 SHOAL CREEK BOULEVARD AND 1003-1011 WEST 17TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (5) LOT 9, BLOCK C, BOWLING GREEN, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (6) LOTS 1 AND 2, HINTON ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (7) LOT 19, PAUL SIMMS ADDITION, FROM "D" INDUSTRIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (8) A TRACT OF

LAND FRONTING APPROXIMATELY 360 FEET ON THE EAST RIGHT OF WAY LINE OF SOUTH 5TH STREET AND APPROXIMATELY 215 FEET ON THE SOUTH RIGHT OF WAY LINE OF WEST OLTORF STREET, LOCALLY KNOWN AS 2401-2417 SOUTH 5TH STREET AND 905-911 WEST OLTORF STREET, FROM "IR" LOCAL RETAIL DISTRICT TO "B" RESIDENCE DISTRICT; (9) A PORTION OF LOTS 1, 2, AND 3, BLOCK 1, FELLMAN HEIGHTS, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND (10) A TRACT OF LAND FRONTING 91.3 FEET ON THE SOUTH RIGHT OF WAY LINE OF EAST 32ND STREET AND 145 FEET ON THE WEST RIGHT OF WAY LINE OF RED RIVER STREET, LOCALLY KNOWN AS 819-821 EAST 32ND STREET AND 3106-3110 RED RIVER STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT, ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Mayor brought up the following zoning applications deferred from last week:

MRS. MAY DELL SCHAMP	3301-3301 $\frac{1}{2}$ East Avenue	From "A" Residence
MR. & MRS. ALBERT DEARING	3303 East Avenue	To "C" Commercial
MR. & MRS. LUTHER DENSON	3307-11 Interregional Highway	RECOMMENDED by the
		Planning Commission
		and to include 3309-
		3311 Interregional
		Highway

The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance:

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A. J. SEPEDA, Owner	2001 Rosewood Avenue	From "B" Residence
C. J. SHACKLES, Purchaser		To "C" Commercial
		RECOMMENDED by the
		Planning Commission

The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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The Council greeted and welcomed the Vice Mayor, of the City of Sapporo, Island of Hoppaido, Japan, SHINSHAKU KOSHIO; and the State Department Escort - Interpreter, PAUL NISHIYOMA.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH ALLANDALE HOMESITES, INC.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH ALLANDALE OF AUSTIN, INC.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WAYNE A. BURNS; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. PHIL LEMLEY appeared before the Council making complaint about the weeds in Lake Austin, and asking what could be done. The Mayor reviewed the past efforts of the City throughout the years and said that it was seemingly an impossible job. The City Manager listed some of the ways that had been used to clear the weeds, and welcomed any new suggestions. Councilman Palmer stated one of the latest suggestions was to find some plant that grew only about six inches high that would choke all other growth out.

Councilman Perry recommended and made a motion that an ordinance be drawn in accordance with the recommendation as set out in the report of the Grand Jury, making it mandatory that all pawnbrokers and dealers in second hand merchandise record in duplicate all purchases in a uniform book designed by the City, and mail one copy to the police department daily. The Council took this matter under consideration and study, and the City Attorney was asked to bring in information as to the state law and a report on what could be done. The Mayor stated the Council would probably have several special meetings to discuss this. Councilman Perry suggested that it be presented to the Council four weeks from today (July 30) as that would give time to study and prepare the ordinance. The Mayor stated the Council would be going over this from time to time.

The City Manager submitted the following:

"June 30, 1959

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, June 30, 1959 for the construction of Municipal Auditorium Parking Lot - Contract No. 59-C-19.

"Collins Construction Company of Texas	\$77,156.75
McKown and Sons	78,392.30
J. H. "Bud" Chastain & Sons	80,574.32
C. H. Lester	82,439.00
Lee Maners	83,611.46

"Giesen & Latson Construction Company	\$87,534.80
Raymond Canon Company	91,063.30
Ed H. Page	93,157.90
"City's Estimate	\$83,889.55

"I recommend that Collins Construction Company of Texas with their low bid of \$77,156.75 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 30, 1959, for the construction of the Municipal Auditorium Parking Lot - Contract No. 59-C-19; and,

WHEREAS, the bid of Collins Construction Company of Texas in the sum of \$77,156.75 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Collins Construction Company in the sum of \$77,156.75 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Collins Construction Company of Texas.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"July 1, 1959

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams;

"Bids were received until 2:00 P.M. Tuesday, June 30, 1959, at the office of the Director of Water and Sewer Department for the construction of a 6" cast iron Water Main in Fairmount Avenue and Gillespie Place, then publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of the bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Fairey - Simons Co., Inc.	\$6,812.50	40
Austin Engineering Company	7,700.75	45
Karl Wagner, Inc.	7,915.50	30
Walter W. Schmidt	8,172.30	30
Bland Construction Company	8,537.30	45

"It is recommended that the contract be awarded to the Fairey-Simons Company, Inc. on their low bid of \$6,812.50 with 40 working days.

"Yours truly,
 (Sgd) Victor R. Schmidt, Jr.
 Superintendent, Water Distribution
 (Sgd) Albert R. Davis, Director
 Water and Sewer Department

Approved: W. T. Williams, Jr.
 City Manager"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 30, 1959, for the construction of a 6" cast iron Water Main in Fairmount Avenue and Gillespie Place; and,

WHEREAS, the bid of Fairey-Simons Company, Inc., in the sum of \$6,812.50 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Fairey-Simons Company, Inc., in the sum of \$6,812.50 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Fairey-Simons Company, Inc.

The motion, seconded by Councilman Bechtol, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

Councilman Bechtol moved that the request of the BROWN SCHOOLS on Burnet Road to have a fire works display on the 4th, be granted. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The Fire Marshall had cleared this.

MR. THEO BELLMONT made a report on the health of MR. G. L. HUCKABY, member of the Equalization Board. The Council wanted to have an executive session to discuss appointment of someone to take Mr. Huckaby's place while he is ill, and since he had sent in a letter of resignation.

The City Manager went over an ordinance changing the Civil Service Ordinance as it pertained to mechanics in the Fire Department. It was his recommendation that mechanics and assistant mechanics be eliminated from the classified service of the Fire Department. After discussion, the Mayor introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE PROVIDING FOR THE CLASSIFICATION OF ALL POLICEMEN AND FIREMEN; ESTABLISHING POSITIONS IN EACH CLASSIFICATION; PROVIDING FOR RECLASSIFICATION OF POSITIONS; PROHIBITING UNAUTHORIZED FILLING OF POSITIONS; REGULATING PROMOTIONS; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN FEBRUARY 7, 1952, AND IS RECORDED IN BOOK "R", PAGES 10-13, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY DELETING FROM SECTION 3(a) THEREOF THE WORD "MECHANIC" FROM GROUP II, AND THE WORDS "ASSISTANT MECHANIC" FROM GROUP III, SO AS TO ELIMINATE THE TWO NAMED POSITIONS FROM THE CLASSIFIED SERVICE OF THE FIRE DEPARTMENT OF THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

There being no further business, the Council adjourned at 11:20 A.M.,

subject to the call of the Mayor.

APPROVED

Tom Miller

Mayor

ATTEST:

Elsie Hoosley

City Clerk